

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
96005/22US

First named inventor: **Wosik et al.**

Internation (PCT) Application No.: **PCT/US03/33933**

U.S. Application No.: **10/532,457**
(if known)

Filed: **22 April 2005**

Title: **SUPERCONDUCTING ARRAY OF SURFACE MRI PROBES**

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) to 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee **\$750** (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of **LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371** (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

RECEIVED

20 MAR 2006

03/17/2006 LLANDGRA 00000028 10532457

01 FC:2453

750.00 UP

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required..

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Applicants were unaware that this application was not nationalized in the United States and once Applicants were made aware of the problem, present counsel was engaged to revive the application and complete the national phase filing under 35 U.S.C. 371.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO/2038.

13 March 2006

Date

(713)977.7000

Telephone Number


Signature

Robert W. Strozier

Typed or printed name

Reg. No.: 34024

P.O. Box 429

Bellaire, TX 77402-429

Address

Enclosures ☒ Response:

☒ Fee Payment

☐ Terminal Disclaimer

☒ Transmittal Letter and Postcard

EV 599 505 062 US

Express Mail Number

CERTIFICATE OF MAIL BY EXPRESS MAIL

13 March 2006

Date of Deposit

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the:

Commissioner of Patent

MS PCT

P.O. Box 1450, Alexandria, VA 22313-1450


Robert W. Strozier

13 March 2006

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **WOSIK ET AL.**
SERIAL NO: **10/532457 - PCT/US03/33933**
FILED:
FOR: **SUPERCONDUCTING ARRAY OF**
SURFACE MRI PROBES

§ GROUP ART UNIT:
§ EXAMINER:
§ DOCKET: **96605/22US**
§
§

EV 599 505 062 US	CERTIFICATE OF MAIL BY EXPRESS MAIL	March 13, 2006
Express Mail Number		Date of Deposit
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the:		
Commissioner of Patent		
MS PCT		
Robert W. Strozio	P.O. Box 1450, Alexandria, VA 22313-1450	March 13, 2006
		Date of Signature

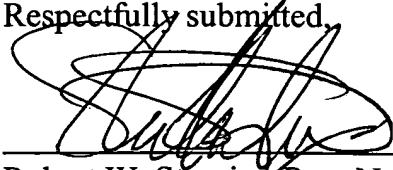
STATEMENT ON UNINTENTIONAL ABANDONMENT

Applicant's attorney was using the old nationalization forms and failed to enclose the basic filing fee or authorize the Commissioner to charge his deposit account. This failure was wholly unintentional as Applicant's attorney rarely pays fees to the Patent Office until he has proof of receipt of the application. Applicant's attorney has had many problems with lost checks, lost documents and miss application of funds. Therefore, Applicant's attorney generally does not file with fees until he has some proof that the patent office has received the application. Applicant's attorney was not aware that the nationalization rules required payment of at least the basic fees as no other type of application requires the same.

The Commissioner is authorized to charge any additional fee or credit any overpayments to Deposit Account No. 501518.

Date: **March 13, 2006**

Respectfully submitted,


Robert W. Strozio, Reg. No. 34,024
Attorney for Applicants



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/532,457	Jaroslav Wosik	96605/22US

INTERNATIONAL APPLICATION NO.

PCT/US03/33933

I.A. FILING DATE	PRIORITY DATE
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10/24/2003

10/24/2002

23873

ROBERT W STROZIER, P.L.L.C.

PO BOX 429

BELLAIRE, TX 77402-0429

CONFIRMATION NO. 3921

371

ABANDONMENT/TERMINATION
LETTER

OC000000018002264

Date Mailed: 02/23/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).
- applicant has failed to authorize payment on form PTO-1390. No box was checked.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

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